

BILL SUMMARY
2nd Session of the 58th Legislature

Bill No.:	HB 3408
Version:	Committee Substitute
Request Number:	10574
Author:	Rep. Bush
Date:	3/10/2022
Impact:	Expands scope of felony; see analysis below

Research Analysis

The committee substitute to HB 3408 modifies the definition of "child abuse" to include the act of deceptive falsification, whereby a person knowingly provides false or misleading medical history to a health care provider in order to obtain an unnecessary medical treatment for a child under 18 years of age by a person responsible for a child's health, safety, or welfare. The term also includes when a child presents with symptoms that are fabricated, exaggerated, or induced deliberately by the parent or guardian in order to make the child appear medically, physically, or educationally ill or disabled.

Prepared By: Brad Wolgamott

Fiscal Analysis

The committee substitute to the measure would amend the statutory definition of child abuse to include the deceptive falsification of a child's medical condition, history, or records with the intent to obtain unnecessary medical treatment or to present the child as medically, physically, or educationally ill or disabled.

Upon review, passage of the measure may have a fiscal impact. Child abuse is currently classified as a felony, with penalties including incarceration in the Department of Corrections or the county jail. The penalty also includes an option for a fine.

By expanding the statutory definition of child abuse, the measure would expand the scope of a felony. This may cause an increase in incarceration costs borne by the Department of Corrections, as well as an increase in fine revenue received by the state.

Prepared By: Clayton Mayfield

Other Considerations

None.